

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GRADY SCOTT WESTON, Individually and
On Behalf of All Others Similarly Situated,

Plaintiffs,

v.

RCS CAPITAL CORPORATION, RCAP
HOLDINGS, LLC, RCAP EQUITY, LLC,
NICHOLAS S. SCHORSCH, BRIAN S.
BLOCK, EDWARD MICHAEL WEIL,
WILLIAM M. KAHANE, BRIAN D. JONES,
PETER M. BUDKO, MARK AUERBACH,
JEFFREY BROWN, C. THOMAS
MCMILLEN, and HOWELL WOOD,

Defendants.

Civ. No. 1:14-CV-10136-GBD

**LEAD PLAINTIFFS' NOTICE OF UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT AND APPROVAL OF
NOTICE TO THE SETTLEMENT CLASS**

PLEASE TAKE NOTICE that Lead Plaintiffs Oklahoma Police Pension Fund and Retirement System and City of Providence, Rhode Island ("Lead Plaintiffs") will move this Court, at a date and time to be determined by the Court, for an Order, pursuant to Federal Rule of Civil Procedure 23(e): (i) preliminarily approving a proposed settlement of the above-captioned class action (the "Settlement"); (ii) certifying the Settlement Class pursuant to Rules 23(a) and (b)(3), and appointing Lead Plaintiffs as Class Representatives and the law firms of Labaton Sucharow LLP and Scott+Scott, Attorneys at Law, LLP as Class Counsel for the Settlement Class; (iii) directing that notice of the Settlement be provided to the Settlement Class; (iv) scheduling a hearing to consider the fairness, reasonableness, and adequacy of the Settlement,

the proposed plan of allocation for the Settlement proceeds, and Lead Counsel's application for an award of attorneys' fees and expenses; and (v) granting such other and further relief as this Court deems just and proper. Defendants do not oppose the motion.

Lead Plaintiffs are contemporaneously herewith filing a memorandum of law and Declaration of Ira A. Schochet, dated June 2, 2017, with annexed exhibits, in support of this Motion.

A proposed Order Granting Preliminary Approval of Class Action Settlement, Approving Form and Manner of Notice, and Setting Date for Hearing on Final Approval of Settlement, with annexed exhibits, which was negotiated by the parties to the Settlement, is also submitted herewith.

Dated: June 2, 2017

LABATON SUCHAROW LLP

By: /s/ Ira A. Schochet
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Ira A. Schochet
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-and-

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP

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230 Park Avenue, 17th Floor
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Telephone: (212) 223-6444

Lead Counsel for Lead Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2017, I caused the foregoing Lead Plaintiffs' Notice of Unopposed Motion for Preliminary Approval of Class Action Settlement and Approval of Notice to the Settlement Class to be served electronically on all ECF participants.

/s/ Ira A. Schochet

Ira A. Schochet